

JOURNAL OF THE SENATE [July 28, 1965]

STATE OF WISCONSIN

# Senate Journal

Seventy-Seventh Session

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WEDNESDAY, July 28, 1965.

9:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by Rabbi Oscar Fleishaker.

The calling of the roll was deferred, upon motion of Senator Zaborski, with unanimous consent.

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## PETITIONS AND COMMUNICATIONS

### Senate Petition 78

By Senator Leonard. To committee on Agriculture.

### Senate Petition 79

By Senator Kendziorski. To committee on Judiciary.

The State of Wisconsin  
Office of Attorney General  
Madison

The Honorable The Senate

By Senate Resolution 31, you have asked my opinion on the following questions which relate to expense allowances for legislators under Chapter 72, Laws of 1965. Chapter 72, Laws of 1965 became effective June 5, 1965.

1. Are legislative days on which no roll call is taken in either house of the legislature (skeleton sessions) to be computed as part of the 110-day limitation contained in section 20.530 (1) (f) prior to the effective date of Chapter 72, Laws of 1965?

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2. Is a legislator entitled to expense reimbursement pursuant to section 20.530 (1) (f) for days on which he was in Madison on legislative business although neither house of the legislature was in session for that period of time prior to the effective date of Chapter 72, Laws of 1965?

Chapter 72, Laws of 1965 amending sec. 20.530 (1) (f), Stats., insofar as it concerns the questions you have raised, reads as follows:

"Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capitol for the period of any regular or special legislative session shall be entitled to an allowance of \$15 *for expenses incurred for food and lodging, for each day of actual attendance at a session of the legislature, for expenses incurred for food and lodging during each special session not to exceed 20 days, that he is in Madison on legislative business, but not including any Saturday or Sunday unless he is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which he is a member. No such allowance shall be paid for any day during a recess of the legislature for 30 days or more; nor shall any such allowance be paid for any day following the 110th day on which the legislature meets in a regular or special session, not including days on which no roll call is taken in either house. The 110-day limitation on regular and special sessions shall be computed separately, and no days of one shall be applied against the limit of the other. Each member shall certify to the chief clerk of his house, as promptly as may be following the 1st of each month, the number of days during the previous calendar month on which he was in Madison on legislative business and for which he seeks the allowance provided by this paragraph. Such allowances shall be paid within one week after each calendar month; and shall be paid, upon the filing with such director, the chief clerk's affidavit stating the number of actual days in attendance days in Madison on legislative business for all members of his house. Legislators shall be entitled to an expense allowance for travel, postage, clerical assistance, toll calls, and other expenses for each full calendar month during which the legislature is not actually in session at the following rates:*"

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The major change in the law accomplished by Chapter 72, Laws of 1965, is the extension of the \$15 per day allowance for expenses incurred for food and lodging from its previous limitation to days of actual attendance at a session of the legislature to days the legislator is in Madison on legislative business regardless of whether or not the legislature is in session, with stated exceptions.

The first exception states that Saturdays and Sundays may not be counted unless the legislator is in actual attendance at a session of the legislature or at a meeting of a standing committee of which he is a member.

The second exception provides that days during a recess of 30 days or more shall not be counted.

Third, the previous limitation of 110 days of payment for actual attendance at a regular session is continued but the new law provides that non-roll call days shall not be counted as part of the 110-day limitation as they were of necessity under the prior law.

Ambiguities in the statute should be resolved in favor of the state. I adhere to such principle.

Your first question inquires whether non-roll call days prior to June 5, 1965, are to be computed as part of the 110-day limitation. The answer to your question is No.

The legislature has full power to increase or decrease the 110-day limitation, no matter how computed, in any manner that it sees fit. The 110-day limitation which is accountable under the law refers to the "session" of the legislature. Accordingly, in computing the 110-day limitation specified in the new law, as amended in Chapter 72, Laws of 1965, only days on which a roll call was or is taken are chargeable against the 110-day limitation. It follows, that non-roll call days prior to June 5, 1965, are not to be computed as part of the 110-day limitation.

The answer to the second question is No.

There is no word, phrase or sentence in Chapter 72, Laws of 1965, which indicates any intention that the auditing and disbursing officers of the state, and the reporting officers, that is, the chief clerks of either house, shall go back of the date of the effective date of the law, June 5, 1965, and compute allowances for room and board expenses which were not reimbursible under the statute as it existed on the

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date that such expenses were incurred. The statute as amended retains the prior provision that allowances for expenses shall be paid within one week after the calendar month which are incurred. Such expenses are paid up on the affidavit of the chief clerk of each house filed immediately following the close of the calendar month.

There is no machinery provided for going back of the effective date of the act, of June 5, 1965 or paying expense allowances for non-roll call days in calendar months which have already been reported and for which presumably expense allowances have been paid. It is a cardinal rule of statutory construction that even where statutes are ambiguous as to their retroactive effect they are to be construed as relating to future and not to past acts. *Shaurette v. Capitol Erecting Co.* (1964), 23 Wis. (2d) 538, 128 N.W. (2d) 34; *Northern Supply Co. v. Milwaukee* (1949), 255 Wis. 509, 39 N. W. (2d) 379. See also, Callahan's Wisconsin Digest, Statutes, Volume 15, page 661, para. 302 et seq.

The foregoing interpretation renders it unnecessary to consider the question of whether payment for expenses which were not reimbursible by statute at the time they were incurred would constitute "extra compensation" payment of which is prohibited by Art. IV, sec. 26 of the Wisconsin Constitution.

Very truly yours,

BRONSON C. La FOLLETTE,

July 27, 1965.

Attorney General.

CAPTION: Under Chapter 72, Laws of 1965, which amends paragraph 20.530 (1) (f) the 110-day limitation contained herein shall be computed for the full "session" and legislative days prior to June 5, 1965, on which no roll call was taken in either house on such day should not be computed as part of the 110-day limitation.

A legislator is not entitled to expense reimbursement for days on which he was in Madison on legislative business and the legislature was not in session prior to June 5, 1965.

The reading at length of the foregoing opinion of the Attorney General was dispensed with, and the caption only was read by the chief clerk, upon motion of Senator Zabor-ski, with unanimous consent.

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## MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

The action by which the assembly, upon motion of Assemblymen Kunde and Nikolay, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to David Rabinovitz who was appointed by President John F. Kennedy, September 5, 1963; received interim appointment by President Lyndon B. Johnson, January 3, 1964; the U. S. Senate Committee failed to act on appointment, with backlog of 225 cases, Judge Rabinovitz settled or tried a total of 200 cases; tried 27 jury trials; cleaned up backlog in Wausau and 25 out of 28 cases in Superior, wrote 28 opinions of which 8 were appealed to Circuit Court of Appeals and all 8 cases were affirmed, was one of few judges who drafted instructions to juries and presented them to lawyers before they argued to jury. and

The action by which the assembly, upon motion of Assemblyman Azim, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Compliments to the Platteville area residents have hosted 37 Negro children from Chicago's south side, and Whereas, the idea for the visitation project whereby Negro children from Chicago would be invited to spend some time with Platteville families originated with a study group of Platteville mothers, and Whereas, the community received the idea with enthusiasm and co-operated with the Rev. Robert Adams, pastor of Platteville's First Methodist church and the Rev. Richard Chartier, pastor of Platteville's First Congregational church, co-chairman of the project, in making the idea a reality, and Whereas, their efforts culminated in 37 of Chicago's Negro children spending 9 days enjoying the enriching experiences of small town and country life otherwise unavailable to them; and Whereas, this type of positive action can serve immeasurably to increase understanding between people of different environments and races, and Whereas, all who participated in making this project possible are deserving of praise and recognition for their significant achievement, now, therefore, The Members

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of the Wisconsin Legislature extend their compliments to the Rev. Richard Chartier, the Rev. Robert Adams and the community of Platteville for their very worthwhile and outstanding successful endeavor and

**Assembly Joint Resolution 102 and  
Assembly Joint Resolution 119**

**Concurred in**

**Senate Bill 83,  
Senate Bill 482,  
Senate Bill 503 and  
Senate Bill 504 and has**

**Amended and concurred in as amended  
Senate Joint Resolution 5 and has**

**Non-concurred in  
Senate Bill 332 and has**

**Passed and asks concurrence in**

**Assembly Bill 361,  
Assembly Bill 379,  
Assembly Bill 381,  
Assembly Bill 422,  
Assembly Bill 502,  
Assembly Bill 613,  
Assembly Bill 666,  
Assembly Bill 689,  
Assembly Bill 797,  
Assembly Bill 800,  
Assembly Bill 866,  
Assembly Bill 914,  
Assembly Bill 935,  
Assembly Bill 955,  
Assembly Bill 967 and has**

**Concurred in**

**Senate Bill 257,  
Senate Bill 314 and  
Senate Bill 362 and has**

**Amended and concurred in as amended  
Senate Bill 75,  
Senate Bill 180 and  
Senate Bill 366.**

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### ASSEMBLY MESSAGE CONSIDERED

The assembly's action under Joint Rule 26, pursuant to motion of Assemblymen Kunde and Nikolay, was concurred in, upon motion of Senators Keppler and Krueger.

The assembly's action under Joint Rule 26, pursuant to motion of Assemblyman Azim, was concurred in, upon motion of Senator Roseleip.

The senate's action on the foregoing motions was ordered immediately messaged to the assembly.

#### **Assembly Joint Resolution 102**

Read first time.

Referred to committee on Judiciary.

#### **Assembly Joint Resolution 119**

Relating to the life and public service of Harry Lynde Bradley.

The joint resolution was considered at this time, upon motion of Senator Knowles, with unanimous consent.

The reading at length of the joint resolution was dispensed with, upon motion of Senator Knowles, with unanimous consent.

Senators Kendiorski and Sussman were designated as co-authors of the joint resolution, upon motion of Senator Sussman, with unanimous consent.

Was read.

The joint resolution was concurred in.

#### **Senate Joint Resolution 5**

Was referred to the calendar.

#### **Assembly Bill 361**

Read first time.

Referred to committee on Education.

#### **Assembly Bill 379**

Read first time.

Was referred to the calendar, upon motion of Senator Warren, with unanimous consent.

#### **Assembly Bill 381**

Read first time.

Referred to committee on Highways.

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### **Assembly Bill 422**

Read first time.

Was referred to the calendar, upon motion of Senator Lorge, with unanimous consent.

Read first time and referred:

### **Assembly Bill 502**

To committee on Education.

### **Assembly Bill 613**

To committee on Governmental and Veterans' Affairs.

### **Assembly Bill 666**

To committee on Education.

### **Assembly Bill 689**

To committee on Labor, Taxation, Insurance and Banking.

### **Assembly Bill 797**

To committee on Education.

### **Assembly Bill 800**

Read first time.

Was referred to the calendar, upon motion of Senator Dempsey, with unanimous consent.

Read first time and referred:

### **Assembly Bill 866**

To committee on Governmental and Veterans' Affairs

### **Assembly Bill 914**

To committee on Education.

### **Assembly Bill 935**

To committee on Judiciary.

### **Assembly Bill 955**

Read first time.

Was referred to the calendar, upon motion of Senator Knowles, with unanimous consent.

### **Assembly Bill 967**

Read first time.

The bill was considered at this time, upon motion of Senator Meunier, with unanimous consent.

Read a second time.



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The bill was laid aside temporarily, upon motion of Senator Zaborski, with unanimous consent.

### Senate Bill 75

Was referred to the calendar.

### Senate Bill 180

The bill was laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

### Senate Bill 366

Was referred to the calendar.

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Upon motion of Senator Zaborski, with unanimous consent, the senate returned to the 2nd order of business.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzioriski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Absent—None.

Absent with leave—Senator Leonard—1.

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Upon motion of Senator Sussman, with unanimous consent, the senate returned to the 5th order of business.

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## BILLS INTRODUCED

### Senate Bill 577

Relating to the creation of a joint interim juvenile delinquency and children's code study committee and making an appropriation.

By Senator Sussman.

Read first time.

To joint committee on Finance.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 10:15 o'clock this morning.

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## RECESS

10:15 o'clock A.M.

The senate was called to order by the president pro tempore.

The president resumed the chair.

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## MOTIONS

### Assembly Bill 486

Relating to the salaries of classified employees of the state.

On the calendar of Friday, July 23rd was made a Special Order for 9:10 o'clock this morning, upon motion of Senator Hollander, with unanimous consent.

### Senate Bill 484

Relating to state finances and appropriations, constituting the conservation fund budget bill of the 1965 legislature and making appropriations.

On the calendar of Friday, July 23rd was made a Special Order for 9:11 o'clock this morning, upon motion of Senator Knowles, with unanimous consent.

### Senate Bill 180

Relating to clarification of certain procedures in eminent domain actions.

Which had been laid aside temporarily earlier was considered at this time, upon motion of Senator Knowles, with unanimous consent.

Amendment No. 1, A. was concurred in.

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## SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:00 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### Senate Bill 44

Which had been made the Special Order.

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### **Senate Bill 44**

Relating to the determination of state school aids on a current basis.

Was read a second time.

The bill was laid aside temporarily, upon motion of Senator Rasmusen, with unanimous consent.

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### **SPECIAL ORDER**

Senator Zaborski called the attention of the senate to the Special Order which had been fixed for 9:01 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### **Assembly Bill 230**

Which had been made the Special Order.

### **Assembly Bill 230**

Relating to raising the compulsory school attendance age to 18 and permitting persons over 16 to attend vocational and adult education schools, or high schools offering vocational education.

Was read a second time.

Senator McParland asked unanimous consent that the bill be re-referred to the committee on Education.

Senator Lorge objected.

The bill was re-referred to the committee on Education, upon motion of Senator McParland, with unanimous consent.

### **Senate Bill 297**

Requiring all persons 16 to 18 years of age residing or employed in a district maintaining a vocational and adult education school who do not attend high school, to attend vocational and adult education schools full time.

Was recalled from the joint committee on Finance and re-referred to the committee on Education, upon motion of Senator Lorge, with unanimous consent.

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### **SPECIAL ORDER**

Senator Zaborski called the attention of the senate to the Special Order which had been fixed for 9:02 o'clock this morning and to the fact that that hour had arrived.

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The senate proceeded to consider

### **Assembly Bill 863**

Which had been made the Special Order.

### **Assembly Bill 863**

Relating to state grants to resident, full-time post high school students, the state commission for higher educational aids and making an appropriation.

Read a second time.

Senator Benson moved that amendment No. 1, S., be rejected.

Senator McParland asked unanimous consent that the bill be referred to the committee on Education.

Senator Lorge objected.

Senator Risser asked unanimous consent to introduce a resolution.

Senator Lorge objected.

### **Assembly Bill 863**

Senator McParland again asked unanimous consent that the bill be referred to the committee on Education.

Senator Lorge again objected.

### **Assembly Bill 863**

Senator Lorge asked unanimous consent that the bill be made a Special Order or 9:00 o'clock tomorrow morning.

Senator Risser objected.

Senator Risser moved that the rules be suspended and that he be permitted to introduce a resolution.

Senator Lorge withdrew his objection to the unanimous consent request by Senator Risser.

There being no further objections, Senator Risser secured unanimous consent to introduce the following resolution.

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## RESOLUTIONS INTRODUCED

### **Senate Resolution 33**

Requesting an opinion of the attorney general regarding the constitutionality of **Assembly Bill 863**, which provides for state grants to resident, full-time, post high school students.

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*Resolved by the senate*, That the attorney general is requested to provide an opinion as expeditiously as possible as to the constitutionality of **Assembly Bill 863**, which provides for state grants to resident, full-time, post high school students.

By Senator Risser.

The resolution was considered at this time, upon motion of Senator Risser, with unanimous consent.

Was read.

The resolution was adopted.

### **Assembly Bill 863**

With unanimous consent, Senator Risser withdrew his objection to the unanimous consent request by Senator Lorge.

There being no further objections, the bill was made a Special Order for 9:00 o'clock tomorrow morning.

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### SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:03 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### **Assembly Bill 501**

Which had been made the Special Order.

### **Assembly Bill 501**

Relating to the establishment of schools of technical and community education.

Read a second time.

Amendment No. 2, S. was offered by Senator Lorge.

The bill was made a Special Order for 9:12 o'clock this morning, upon motion of Senator Krueger, with unanimous consent.

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### SPECAIL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:04 o'clock this morning and to the fact that that hour had arrived.

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The senate proceeded to consider

**Senate Bill 345**

Which had been made the Special Order.

**Senate Bill 345**

Read a second time.

Senator Knowles moved that amendment No. 1, S. be rejected.

Senator Hollander requested a roll call.

There were not sufficient seconds.

Amendment No. 1, S. was rejected.

Amendment No. 2, S. was rejected, upon motion of Senator Knowles.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 345**

Relating to creating a Minnesota-Wisconsin boundary area commission, and providing for the joinder of this state in a compact with the state of Minnesota, entered into for the purpose of present and future protection, use and development of boundary lands, river valleys and waters between the 2 contracting states, and making an appropriation.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 30; noes, 0; absent or not voting, 3; as follows:

Ayes—Senators Benson, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Absent—None.

Absent with leave—Senators Bice, Leonard and Miller—3.

So the bill passed.

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Upon motion of Senator Schreiber, with unanimous consent, the senate returned to the 5th order of business.

BILLS INTRODUCED

**Senate Bill 578**

Relating to taxation of public utilities, property tax credits and making an appropriation.

By Senators Schreiber, Zaborski, Schuele and Sussman; co-sponsored by Assemblymen Lipscomb, W. A. Johnson, Schaus, Schaeffer and Whittow.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

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Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 3rd order of business.

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INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 494 was offered by Senator Keppler.

Amendment No. 1, S. to Senate Bill 538 was offered by Senator LaFave.

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Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 7th order of business.

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COMMITTEE REPORTS

The committee on Legislative Procedure reports and recommends:

**Senate Bill —**

Relating to time of notice of cancelation of fire insurance. Introduction; Ayes, 12; Noes, 0.

FRANK E. PANZER,  
Chairman.

BILLS INTRODUCED

**Senate Bill 579**

Relating to time of notice of cancellation of fire insurance.

By committee on Legislative Procedure, by request of Senator Schreiber.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

The committee on Public Welfare reports and recommends:

**Senate Bill 371**

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

**Senate Bill 373**

Passage; Ayes, 4 ;Noes, 1.

**Senate Bill 399**

Passage; Ayes, 5; Noes, 0.

**Assembly Bill 482**

Concurrence; Ayes, 5; Noes, 0.

**Assembly Bill 615**

Nonconcurrence; Ayes, 5; Noes, 0.

CHESTER E. DEMPSEY,  
Chairman.

The committee on Highways reports and recommends:

**Senate Bill 435**

Passage; Ayes, 2; Noes, 2; indefinite postponement; Ayes, 2; Noes, 2 and without recommendation; Ayes, 4; Noes, 0.

**Senate Bill 506**

Adoption of amendment No. 1, S.; Ayes, 4; Noes, 0; Absent, 1 and passage as amended; Ayes, 4; Noes, 0.

**Assembly Bill 53**

Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 299**

Concurrence; Ayes, 4; Noes, 0.

REUBEN LaFAVE,  
Vice Chairman.



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The reading at length of the foregoing committee reports was dispensed with, upon motion of Senator Zaborski, with unanimous consent.

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Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 8th order of business.

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### SPECIAL COMMITTEE REPORT

Senator LaFave asked unanimous consent to introduce a bill.

Senator Zaborski objected.

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Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 11th order of business.

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### MOTIONS

#### Senate Bill 145

Which had been laid aside temporarily on Wednesday, May 5th was referred to the committee on Highways, upon motion of Senator LaFave, with unanimous consent.

#### Senate Bill 324

Senator Roseleip asked unanimous consent that the bill be recalled from the joint committee on Finance and made a Special Order for 9:03 o'clock tomorrow morning.

Senator Schreiber objected.

#### Senate Bill 521

Was recalled from the committee on Governmental and Veterans' Affairs, and referred to the joint committee on Finance, upon motion of Senator Draheim, with unanimous consent.

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Upon motion of Senators Bice and Roseleip; co-sponsored by Assemblymen Nuttelman, Wartinbee and Lewison, pursuant to Joint Rule 26, the Legislative Reference Bureau was directed to prepare a suitable joint certificate of Congratulations to Frank Schneider of La Crosse upon being elected Wisconsin State Commander of the American Legion.

The Members of the Wisconsin Legislature extend their heartfelt commendations and good wishes for a successful term in office.

Was read.

The motion was adopted.

The senate's action was ordered immediately messaged to the assembly.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 3:30 o'clock this afternoon.

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### RECESS

3:30 o'clock P.M.

The senate was called to order by the president.

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Upon motion of Senator Knowles with unanimous consent, the senate recessed until 4:00 o'clock this afternoon.

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### RECESS

4:00 o'clock P.M.

The senate was called to order by the president.

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Upon motion of Senator Lorge, with unanimous consent, the senate returned to the 8th order of business.

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## SPECIAL COMMITTEE REPORT REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 48

The members of the committee of Conference on **Senate Bill 48** have concluded that the University of Wisconsin be given jurisdiction and management over the institutions created by this act, but final plans and programs are to be approved by the Co-ordinating Committee on Higher Education, and recommend:

That the senate recede from its position on amendment 1, S. to amendment 1, A.

Walter G. Hollander,	George Molinaro,
Senator.	Assemblyman.
Taylor Benson,	Jerome Quinn,
Senator.	Assemblyman.
Holger B. Rasmusen,	Cletus Vanderperren,
Senator.	Assemblyman.

Was read.

The report of the committee of Conference was considered at this time, upon motion of Senator Lorge, with unanimous consent.

### Senate Bill 48

The question was: Shall the report of the committee of Conference be adopted?

The ayes and noes were required and the vote was: ayes, 26; noes, 5; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Dempsey, Dorman, Draheim, Hansen, Hollander, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Schuele, Smith, Sussman, Thompson and Warren—26.

Noes—Senators Christopherson, Kendzioriski, Roseleip, Schreiber and Zaborski—5.

Absent or not voting—Senators Leonard and Miller—2.

So the report of the committee of Conference was adopted.  
Ordered immediately messaged to the assembly.

### Senate Bill 44

Which had been laid aside temporarily earlier was considered at this time, upon motion of Senator Rasmusen, with unanimous consent.

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Senator Rasmusen moved that amendment No. 1, S. to amendment No. 1, S. to substitute amendment No. 1, S. be rejected.

The motion prevailed.

Amendment No. 1, S. to substitute amendment No. 1, S. was adopted.

Substitute amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 44

Relating to the determination of state school aids on a current basis.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dorman, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—29.

Noes—Senator Dempsey—1.

Absent or not voting—Senators Draheim, Leonard and Miller—3.

So the bill passed.

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Upon motion of Senator Knowles, with unanimous consent, all measures on which final action had been taken at this morning's session and not individually messaged were ordered immediately messaged to the assembly.

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Senator LaFave secured unanimous consent to introduce the following bill.

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## **BILLS INTRODUCED**

### **Senate Bill 580**

Relating to prior service credits under the Wisconsin retirement fund for employes of participating municipalities other than the state.

By Senators LaFave, McParland and Benson.

Read first time.

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Upon motion of Senator Hollander, with unanimous consent, the senate returned to the 7th order of business.

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## **COMMITTEE REPORT**

The joint committee on Finance reports and recommends:

### **Senate Bill 159**

Adoption of amendment 1, S.; Ayes, 8; Noes, 0 and passage as amended; Ayes, 8; Noes, 0.

### **Senate Bill 181**

Adoption of amendment 1, S.; Ayes, 13; Noes, 0; adoption of amendment 2, S.; Ayes, 13; Noes, 0 and passage as amended; Ayes, 13; Noes, 0.

### **Senate Bill 488**

Passage; Ayes, 10; Noes, 2.

### **Senate Bill 551**

Passage; Ayes, 9; Noes, 4.

WALTER G. HOLLANDER,  
Senate Finance Chairman.

### **Senate Bill 551**

On the calendar of Friday, July 30th was made a Special Order for 9:13 o'clock A.M. today, upon motion of Senator Schreiber, with unanimous consent.

### **Senate Bill 580**

Was made a Special Order for 9:14 o'clock A.M. today, upon motion of Senator Schreiber, with unanimous consent.

SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:05 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

**Senate Bill 471**

Which had been made the Special Order.

**Senate Bill 471**

Read a second time.

Substitute amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 471**

Relating to changes in the benefit program, and the contribution rates of participating employees and participating municipalities and other matters pertaining to the Wisconsin retirement fund and granting rule-making authority.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.

So the bill passed.

Ordered immediately messaged to the assembly.

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SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:06 o'clock this morning and to the fact that that hour had arrived.

## JOURNAL OF THE SENATE [July 28, 1965]

The senate proceeded to consider

### Senate Bill 472

Which had been made the Special Order.

### Senate Bill 472

Read a second time.

Amendment No. 1, S. to substitute amendment No. 1, S. was offered by Senator Bice.

Amendment No. 1, S. to substitute amendment No. 1, S. was adopted.

Substitute amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 472

Relating to elective changes in the benefit program, and the contribution rates of members and the state and other matters pertaining to the state teachers retirement system and granting rule-making authority.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.

So the bill passed.

Ordered immediately messaged to the assembly.

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## SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:07 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### Senate Bill 473

Which had been made the Special Order.

## JOURNAL OF THE SENATE [July 28, 1965]

### Senate Bill 473

Read a second time.

Substitute amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 473

Relating to elective changes in the benefit program, and the contribution rates of members and the state and other matters pertaining to teachers annuity and retirement funds in cities of the 1st class and granting rule-making authority.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kend-ziorski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.

So the bill passed.

Ordered immediately messaged to the assembly.

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## SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:08 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### Senate Bill 576

Which had been made the Special Order.

### Senate Bill 576

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.



## JOURNAL OF THE SENATE [July 28, 1965]

### **Senate Bill 576**

Relating to increased retirement annuities for members of the state teachers retirement system and of teachers annuity and retirement funds in cities of the 1st class.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.  
So the bill passed.

Ordered immediately messaged to the assembly.

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## SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:09 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

### **Senate Bill 562**

Which had been made the Special Order.

### **Senate Bill 562**

Read a second time.

Substitute amendment No. 1, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator LaFave, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 562**

Relating to retirement and group insurance coverage for national guard technicians.

Was read a third time.

The question was: Shall the bill pass?

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The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.  
So the bill passed.

Ordered immediately messaged to the assembly.

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### SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:00 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

#### **Assembly Bill 486**

Which had been made the Special Order.

#### **Assembly Bill 486**

Read a second time.

Amendment No. 1, S. was adopted.

Amendment No. 2, S. was adopted.

The bill was ordered to a third reading.

Upon motion of Senator Hollander, with unanimous consent, the bill was considered for final action at this time.

#### **Assembly Bill 486**

Relating to the salaries of classified employes of the state.

Was read a third time.

The question was: Shall the bill, as amended, be concurred in?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leverich,

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Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2

So the bill, as amended, was concurred in.

Ordered immediately messaged to the assembly.

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### SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:11 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider

#### Senate Bill 484

Which had been made the Special Order.

#### Senate Bill 484

Read a second time.

Amendment No. 1, S. was rejected.

Amendment No. 2, S. was adopted.

Amendment No. 3, S. was adopted.

Amendment No. 4, S. was rejected, upon motion of Senator Hollander.

Amendment No. 5, S. was adopted.

Amendment No. 6, S. was rejected, upon motion of Senator Hollander.

Amendment No. 7, S. was adopted.

Amendment No. 8, S. was adopted.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

#### Senate Bill 484

Relating to state finances and appropriations, constituting the conservation fund budget bill of the 1965 legislature and making appropriations.

Was read a third time.

The question was: Shall the bill pass?

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The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senators Leonard and Miller—2.

So the bill passed.

Ordered immediately messaged to the assembly.

### Assembly Bill 501

Relating to the establishment of schools of technical and community education.

The bill a Special Order for 9:12 o'clock A.M. today was made a Special Order for 9:01 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

### Senate Bill 253

Relating to the use of college buildings for lectures by known communist sympathizers.

### Senate Bill 459

Relating to a required high school course on Americanism versus communism.

And

### Senate Bill 408

Relating to a time for silent meditation at the opening of each school day.

The bills which were Special Orders at 9:00 o'clock, 9:01 o'clock and 9:02 o'clock respectively tomorrow morning were laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

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## SPECIAL ORDER

Senator Knowles called the attention of the senate to the Special Order which had been fixed for 9:13 o'clock this morning and to the fact that that hour had arrived.

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### **Senate Bill 551**

Which had been made the Special Order.

### **Senate Bill 551**

Read a second time.

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Upon motion of Senator Sussman, with unanimous consent, the senate returned to the 10th order of business.

### **Assembly Joint Resolution 121**

Relating to recall of **Senate Bill 332** from the senate.

Was taken from an assembly message and considered at this time, upon motion of Senator Knowles, with unanimous consent.

The reading at length of the joint resolution was dispensed with, upon motion of Senator Knowles, with unanimous consent.

Was read.

The joint resolution was concurred in.

Ordered immediately messaged to the assembly.

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## SPECIAL ORDER, CONTINUED

### **Senate Bill 551**

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 551**

An act appropriating \$50,000 to Milwaukee World Festival, Inc., for participation in a World Festival Celebration.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 25; noes, 5; absent or not voting, 3; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leverich, Lorge, McParland, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson and Zaborski—25.

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Noes—Senators Dempsey, Dorman, Lourigan, Meunier and Warren—5.

Absent or not voting—Senators Draheim, Leonard and Miller—3.

So the bill passed.

Ordered immediately messaged to the assembly.

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Upon motion of Senator Knowles, with unanimous consent, the following listed bills were made Special Orders tomorrow morning at the times listed.

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### SPECIAL ORDERS FOR THURSDAY, JULY 29th

#### Senate Bill 580

Relating to prior service credits under the Wisconsin retirement fund for employes of participating municipalities other than the state.

The bill a Special Order for 9:14 o'clock A.M. today was made a Special Order for 9:02 o'clock tomorrow morning.

#### Assembly Bill 755

Relating to elections.

Which bill was on the calendar of Thursday, July 29th, was made a Special Order for 9:03 o'clock tomorrow morning.

#### Assembly Bill 409

An act to provide for the functional reorganization of the administrative branch of state government by reorganization orders, and to create a temporary reorganization commission.

Which bill was on the calendar of Thursday, July 29th was made a Special Order for 9:04 o'clock tomorrow morning.

#### Senate Joint Resolution 5

A joint resolution to amend article V, sections 1 and 3 of the constitution, relating to 4-year terms of the office for governor and lieutenant governor and the election of these officers by a single vote.

Which bill was on the calendar of Friday, July 30th was made a Special Order for 9:05 o'clock tomorrow morning.

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### **Senate Bill 560**

Relating to the regulation of economic poisons and industrial wastes, requiring industry to report status of industrial conversion to biodegradable economic poisons, granting rule-making and investigation authority, providing a penalty and making an appropriation.

Which bill was on the calendar of Thursday, July 29th was made a Special Order for 9:06 o'clock tomorrow morning.

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Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 10th order of business.

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### **MESSAGE FROM THE ASSEMBLY**

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in

**Assembly Bill 15,  
Assembly Bill 77,  
Assembly Bill 158,  
Assembly Bill 180,  
Assembly Bill 596,  
Assembly Bill 969 and has  
Concurred in  
Senate Bill 103.**

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### **ASSEMBLY MESSAGE CONSIDERED**

#### **Assembly Bill 15**

Read first time.

The bill was made a Special Order for 9:09 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

#### **Assembly Bill 77**

Read first time.

Senator Knowles asked unanimous consent that the bill be made a Special Order for 9:07 o'clock tomorrow morning. Senator LaFave objected.

The bill was referred to the committee on Highways.

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### **Assembly Bill 158**

Read first time.

The bill was made a Special Order for 9:07 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

### **Assembly Bill 180**

Read first time.

The bill was made a Special Order for 9:08 o'clock tomorrow morning, upon motion of Senator Hollander, with unanimous consent.

### **Assembly Bill 596**

Read first time.

The bill was made a Special Order for 9:10 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

### **Assembly Bill 969**

Read first time.

The bill was made a Special Order for 9:11 o'clock tomorrow morning, upon motion of Senator Knowles, with unanimous consent.

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Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 7th order of business.

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## COMMITTEE REPORT

The committee on Highways reports and recommends:

### **Senate Bill 223**

Adoption of amendment No. 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

### **Senate Bill 494**

Rejection of amendment No. 1, S.; Ayes, 4; Noes, 0 and passage; Ayes, 4; Noes, 0.

### **Assembly Bill 381**

Concurrence; Ayes, 4; Noes, 0.



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### **Assembly Bill 465**

Adoption of amendment No. 1, S.; Ayes, 5; Noes, 0 and concurrence as amended; Ayes, 4; Noes, 1.

### **Assembly Bill 657**

Concurrence; Ayes, 4; Noes, 0.

### **Assembly Bill 865**

Concurrence; Ayes, 5; Noes, 0.

REUBEN LaFAVE,  
Vice-Chairman.

The reading at length of the foregoing committee report was dispensed with, upon motion of Senator Knowles, with unanimous consent.

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Upon motion of Senator Krueger, with unanimous consent, the senate returned to the 3rd order of business.

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## INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 324 was offered by Senator Roseleip.

Amendment No. 1, S. to amendment No. 2, S. to Senate Bill 508 was offered by Senator Krueger.

Amendment No. 3, S. to Senate Bill 508 was offered by Senator Krueger.

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## GUESTS INTRODUCED

Mr. and Mrs. Donald Grasse and their son Jay Grasse, of Franklin, Wisconsin were introduced to the senate by Senator Benson.

Mr. Norman Stegmann, Chief Clerk of Door County, and Mr. Sven Kirkegaard, an attorney, both of Sturgeon Bay, Wisconsin were introduced to the senate by Senator Meunier.

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Mr. and Mrs. LeRoy Waychik, and their children, Holly Waychik and James Waychik, of Arcadia, Trempeleau County, Wisconsin were introduced to the senate by Senator Leverich.

Legislative representatives of the Milwaukee Retired Teachers Association, Paul Neubauer, of Milwaukee, former Principal of the Longfellow School, and Mr. Fred Ziegenhagen, of West Allis, Wisconsin, former Principal of Boys Technical High School in Milwaukee were introduced to the senate by Senator Busby.

Senator LaFave introduced to the senate Miss Lisa Marne, and stated that she was a promising young singing star.

Upon motion of Senator LaFave, Senators Benson and Schuele escorted Miss Marne to the rostrum and she sang for the senate.

Former Senator from the twenty-ninth district, and now Circuit Judge Robert Dean, of Wausau, Wisconsin, was introduced to the senate, by Senator Smith.

Mr. and Mrs. Ted Ginster, of Mukwonago, Wisconsin, were introduced to the senate by Senator Benson.

Mr. Norman Baguhn, an attorney from Wausau, Wisconsin, was introduced to the senate by Senator Smith.

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Upon motion of Senator Knowles, the senate adjourned until 8:30 o'clock, Thursday morning, July 29, 1965.

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### CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 44,  
Senate Bill 345,  
Senate Bill 471,  
Senate Bill 472,  
Senate Bill 473,  
Senate Bill 484 and  
Senate Bill 562.

Correctly engrossed on Wednesday, July 28, 1965.